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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,524	12/09/2003	Kenji Hasegawa	542-012.004	3724

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EXAMINER

VARGOT, MATTHEW D

ART UNIT	PAPER NUMBER
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1791

MAIL DATE	DELIVERY MODE
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07/09/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/731,524

Applicant(s)

HASEGAWA ET AL.

Examiner

Mathieu D. Vargot

Art Unit

1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4 and 5 is/are pending in the application.
4a) Of the above claim(s) 5 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1, 2 and 4 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/CS-100)
4) ☐ Interview Summary (PTO-413)
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____
Paper No(s)/Mail Date _____

1. Applicant is requested to cancel non-elected claim 5 to expedite prosecution.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese document 10-138,405 in view of Japanese Kokai 62-101,421 and Takeuchi et al and further in view of Corbett (see col. 2, lines 5-9; 6 in Fig. 1).

Japanese -405 and -421 and Takeuchi et al are being applied for reasons of record, the references teaching the basic claimed process lacking essentially a teaching of a guide roll being disposed in the vicinity of the core, the guide roll remaining a certain space away from the core during the winding. Corbett teaches such a guide roll (see 6 in Fig. 1) and it would have been obvious to have employed such a guide roll in the process of Japanese -405 to ensure that the proper tension is applied to the film as it is wound—see col. 2, lines 5-9 of Corbett.

2. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese document 10-138,405 in view of Japanese Kokai 62-101,421, Takeuchi et al and Japanese document P3075431 and further in view of Corbett (see col. 2, lines 5-9; 6 in Fig. 1).

Japanese -405, -421 and -431 and Takeuchi et al are being applied for reasons of record, with Corbett being applied for reasons as set forth in paragraph 1, supra.

3. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

In view of applicant's amendment, new art has been found and applied with respect to the limitations of now cancelled claim 3 which were put into claim 1. Note that in the non-final rejection of April 11, 2006, it was stipulated that the recitations in claims 3 and 4 were conventional in the art and applicant never disputed this. Hence, it is proper to now provide a reference to teach what was submitted to be conventional in the art given the instant amendment. While the references previously applied do not teach the instant guide roll and its relationship to the core, Corbett certainly does and hence the claims are submitted to be properly rejected. Applicant's comments have been considered but are not deemed to be persuasive with respect to the combination of art applied. It is respectfully submitted that the winding hardness of a film roll depends on a number of factors that would all have been readily determined through routine experimentation to arrive at the desired hardness—film type and thickness, core material, amount of film wound and tension applied during the winding. The fact that it is known to wind other films (ie, the PET of Japanese -421) to the instant film roll hardness would suggest to one of ordinary skill in the art that such a hardness is advantageous and would be reasonably employed in winding other types of films. Note also that Japanese -421 teaches that the film winding results in a film that is flat and without wrinkles, and hence one of ordinary skill would expect that the instant film roll winding hardness would be beneficial in forming a flat film. Indeed, other than attorney argument, there is nothing of record to indicate that the claims are not obvious.

4.Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5.Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mathieu D. Vargot whose telephone number is 571 272-1211. The examiner can normally be reached on Mon-Fri from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson, can be reached on 571 272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 1791

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. Vargot
July 6, 2008

/Mathieu D. Vargot/
Primary Examiner, Art Unit 1791